08-CPCN-03-

RECEIVED 2008 FEB 20 PM 12: 31



Certificate of Public Convenience and Necessity Application

Kent County

Kent County 2



February 20, 2008

Mr. Kevin Neilson Public Service Commission 861 Silver Lake Blvd. Suite 100 Dover, DE 19904

Re: CPCN Application - Kent County 2

Dear Mr. Neilson;

Enclosed you will find the CPCN application for the Kent County 2 area located in Kent County, Delaware.

Two original and ten copies of the application have been included. A check payable to the Public Service Commission in the amount of \$300.00 has also been included for the application fee. If I can be of further assistance upon your review, please do not hesitate to contact me at 302-734-7500 Ext. 1014.

Respectfully,

Joseph C. Cuccinello
JS

Joseph C. Cuccinello
CPCN Coordinator

Tidewater Utilities, Inc.

cc: Mr. Willard Preston, SFMO w/enclosures

cc: Mr. Ed Hallock, DPH w/enclosures

cc: Mr. Kevin Donnelly, DNREC w/enclosures

APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY REQUIRED TO BEGIN OR EXPAND THE BUSINESS OF A PUBLIC WATER UTILITY

BEFORE THE PUBLIC SERVICE COMMISSION

Application Fee

\$300 for filing each extension to a CPCN

\$750 for filing each original application for new water utility 26 Del. C. §114(a)

This form of application must be filed for each new and expanding water system pursuant to 26 <u>Del. C.</u> §203C.

WATER UTILITIES	S: Kent County 2
1. Basis for appl	ication:
a.	Water in the proposed service area does not meet the Regulations Governing Public Drinking Water Systems of the State Board of Health for human consumption; {26 Del. C., §203C (d)(2)(a)}; or
b.	Water supply in the proposed service area is insufficient to meet the projected demand; 26 <u>Del. C.</u> , §203C (d)(2)(b)}; or
C.	The applicant is in possession of a signed service agreement with the developer of a proposed subdivision or development, which subdivision or development has been duly approved by the respective county government; {26 Del. C., §203C (e)(1)(a)}; or
Xd.	The applicant is in possession of a petition signed by a majority of the parcel owners of the proposed territory to be served; {26 <u>Del. C.</u> , §203C (e)(1)(b)}; or Exhibit A
e.	The applicant is in possession of a duly certified copy of a resolution from the governing body of a county or municipality requesting the applicant to provide service to the proposed territory to be served; {26 Del. C., §203C (e)(1)(c)}.
to customers at	rtificate of Public Convenience and Necessity ("CPCN") to provide adequate water service and meet the Regulations Governing Drinking Water Standards of the State Board of Health sumption {26 Del. C., §203C(a)}.

- 3. Tidewater Utilities, Inc. requests an informal fact finding procedure during review of application.
- 4. (a.) Full legal name and address of Applicant:
 Tidewater Utilities, Inc.
 1100 South Little Creek Road
 Dover, Delaware 19901
 - (b.) Full name of the Utility's designated representative:
 Joseph C. Cuccinello
 Emily R. Opdyke
 - (c.) Phone no: 302-734-7500 X1014 or X1012
 - (d.) Fax no: 302-734-9297
 - (e.) Email address: jcuccinello@Tuiwater.com or eopdyke@tuiwater.com
- 5. Supporting documentation required by 26 <u>Del. C.</u> §203C(e)(1), including evidence that all landowners of the proposed territory have been notified of application: **Exhibit B**
- 6. A complete list of county tax map parcel number(s) for the area covered by the application: Exhibit C
- 7. A complete list of county tax map parcel number(s) with corresponding names and addresses of property owners and a copy of the tax map(s) for the area: **Exhibit C**

- 8. The Applicant hereby certifies that the extension will satisfy the provisions of 26 Del. C. §403C, including:
 - (a.) The Applicant is currently furnishing water to its present customers in Delaware in such a fashion that water pressure at every house supplies is at least 25 psi at all times at the service connection.
 - (b.) The Applicant shall furnish water to the house or separate location of each new customer in the Delaware at a pressure of at least 25 psi at each location or house at all times at the connection while continuing also to supply each old customer at a pressure of at least 25 psi at each house at all times at the service connection.
 - (c.) The Applicant is currently not subject to a finding by the appropriate federal or state regulatory authority that we have materially failed to comply with applicable safe drinking water or water quality standards; and
 - (d.) The Applicant is currently not subject to any Order issued by the Commission finding that Tidewater Utilities, Inc. has materially failed to provide adequate or proper safe water services to existing customers.
- 9. Copies of petitions signed by landowners showing a majority of the parcel owners of the proposed territory to be served agree with the filing of a CPCN to permit Applicant to provide them with public water. Exhibit A
- 10. (a.) A copy of the application must be sent to State Fire Marshall, Public Health Department, and Department of Natural Resources.
 - 1.) The current status of such application is: Sent
 - (b.) The Applicant provides the following additional information with this application;
 - 1.) A corporate history including dates of incorporation, subsequent acquisitions and/or mergers, On PSC File
 - 2.) A chart, which depicts the inter-company relationships, On PSC File
 - 3.) A map identifying all areas, including all towns, cities, counties and other governments subdivisions to which service is already provided, **On PSC File**
 - 4.) All copies of Applicant's annual reports to stockholders and that of its subsidiaries, and parent for the last two years, **On PSC File**
 - 5.) Applicant's audited financial statements, 10K's and all proxy material for the last two years, On PSC File
 - 6.) Any additional information required by PSC Staff will be made available on request.

Respectfully submitted,

Gerard L. Esposito

President

Certification of Landowner Information Accuracy

By submitting this application, Tidewater Utilities, Inc. hereby certifies that we have reviewed the appropriate tax or land record documents; and that according to those documents, the landowners identified in the parcel lists are the landowners of record and that the petitions contained in this application have been signed by the landowners of record.

Joseph C. Cuccinello CPCN Coordinator



PETITION FOR INCLUSION IN TIDEWATER UTILITIES, INC. WATER SERVICE TERRITORY

In accordance with 26 Delaware Code 203-C., I/we, the undersigned, as the recorded property owners according to current tax records for the following property/properties, request to be included in the water service territory of Tidewater Utilities, Inc. I/We understand that the majority of the property owners must sign this petition in order for Tidewater Utilities, Inc to apply for a Certificate of Public Convenience and Necessity (CPCN) in order to provide water service to the following property/properties:

SM00-148.00-01-20.00

Tax Parcel Number(s):

Property Owner(s):	Victor S. & Mary Ann Frye 12574 S. Dupont Highway Felton, DE 19943	
Owner's Signature(s): X	Victo & Trye	Date: 10-21-07
Owner's Signature(s): X _		Date:

Please sign and date at the \boldsymbol{x} and then return the signed petition to the following address:

Tidewater Utilities, Inc. 1100 S. Little Creek Road Dover, DE 19901

SEFrederica

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Property Owner(s):	John L. Baynard 1077 Pinepitch Road, P.O.Box 191 Harrington, DE 19952	
Owner's Signature(s): X	John L. Baynay	Date: 12-8-07
Owner's Signature(s): X		Date:

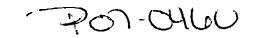
MN00-170.00-01-57.00

Tax Parcel Number(s):

Please sign and date at the x and then return the signed petition to the following address:

Tidewater Utilities, Inc. 1100 S. Little Creek Road Dover, DE 19901

S3Kent



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	1038 Roesville Road Felton, DE 19943	
Owner's Signature(s): X	liane Cofon	Date: 12/11/07
Owner's Signature(s): X		Date:

MN00-158.00-01-36.00

Dianne C. Jones

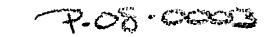
Tax Parcel Number(s):

Property Owner(s):

Please sign and date at the x and then return the signed petition to the following address:

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> > S3Kent



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Tax Parcel Number(s):

DC00-020.00-01-34.00

Property Owner(s):

John W. & Georgia A. Davis

2086 Smyrna Leipsic Rd Smyrna, DE 19977

Owner's Signature(s)

Date:__//_

Owner's Signature(s):

Date

Please sign and date at the x and then return the signed petition to the following address:

Tidewater Utilities, Inc. 1100 S. Little Creek Road Dover, DE 19901

NKent

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Tax Parcel Number(s):

DC00-020.00-01-10.00

Property Owner(s):

Harry A. Virdin 1/2 INT

ANN DeboRAh VIRDIN -Deborah-Virdin 1/2 INT

1994 Big Oak Rd Smyrna, DE 19977

Owner's Signature(s): X Am D. Wilden

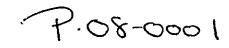
Date: 12/22/01

Date: 12/22/01

Please sign and date at the X and then return the signed petition to the following address:

> Tidewater Utilities, Inc. 1100 S. Little Creek Road Dover, DE 19901

> > **NKent**



B



January 16, 2008

Certified Mail # 7005-3110-0000-5448-3744

Victor S. & Mary Ann Frye 12574 S. Dupont Highway Felton, DE 19943

Dear Victor S. & Mary Ann Frye

Pursuant to Title 26, § 203C(e) of the Delaware Code, an application for a Certificate of Public Convenience and Necessity (CPCN) will be submitted to the Delaware Public Service Commission on or about February 15,2008. In accordance with the petition you have recently signed, your properties have been included within an area Tidewater Utilities, Inc. intends to serve with public water and we are required to inform you of certain information. The area to be served is tax parcel number SM00-148.00-01-20.00 located in Kent County, Delaware. If you agree to the inclusion of your property in the proposed service area, no action on your part is required.

Pursuant to current law, you may file an objection to receiving water service from Tidewater Utilities, Inc. Under Delaware law, the Public Service Commission cannot grant a CPCN to Tidewater Utilities, Inc. for the proposed service area, including your property, if a majority of the landowners in the proposed service area object to the issuance of the CPCN. If you object to receiving water service from Tidewater Utilities, Inc., you must notify the Commission, in writing, within sixty days of you receipt of this notice or within thirty days of the filing of a completed application for a CPCN, whichever is greater.

Pursuant to current law, you may also elect to opt-out of inclusion in the proposed service area. The term "opt-out" means that you decide that you do not want to receive water service from Tidewater Utilities, Inc., even if a majority of the landowners in the proposed service area do elect to receive water service from Tidewater Utilities, Inc. If you do decide that you do not want to receive water service from Tidewater Utilities, Inc. and instead wish to opt-out, you must notify the Commission, in writing, within sixty days of your receipt of this notice or within thirty days of the filing of the completed application for a CPCN, whichever is greater.

You may also request a public hearing on this matter. A request for a public hearing must be made in writing to the Commission within sixty days of your receipt of this notice or within thirty days of the filing of the completed application for a CPCN, whichever is greater.

The written notice of your decision to object to the issuance of the CPCN, to optout of receiving water service from Tidewater Utilities, Inc., and/or your written request for a public hearing, shall be sent to the Secretary of the Public Service Commission at the following address:

861 Silver Lake Blvd. Suite 100 Dover, DE 19904

Any written notice you send to the Commission must include the description of the service area referred to in paragraph (1) above and the name of the applicant so the Commission will be able to identify the CPCN application to which your notice is related.

Questions regarding objections, opt-outs, and hearings may be directed to:

Ms. Connie McDowell 861 Silver Lake Blvd. Suite 100 Dover DE, 19904 302-739-4247

If you should have any questions, please contact me at 302-734-7500 x1014.

Sincerely,

Joseph C. Cuccinello CPCN Coordinator Tidewater Utilities Inc.



January 16, 2008

Certified Mail # 7005 3110 0000 5448 3683

John L. Baynard 1077 Pinepitch Road, P.O.Box 191 Harrington, DE 19952

Dear John L. Baynard

Pursuant to Title 26, § 203C(e) of the Delaware Code, an application for a Certificate of Public Convenience and Necessity (CPCN) will be submitted to the Delaware Public Service Commission on or about February 15,2008. In accordance with the petition you have recently signed, your properties have been included within an area Tidewater Utilities, Inc. intends to serve with public water and we are required to inform you of certain information. The area to be served is tax parcel number MN00-170.00-01-57.00 located in Kent County, Delaware. If you agree to the inclusion of your property in the proposed service area, no action on your part is required.

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Sincerely,

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January 16, 2008

Certified Mail # 7005 3110 0000 5448 3690

Dianne C. Jones 1038 Roesville Road Felton, DE 19943

Dear Dianne C. Jones

Pursuant to Title 26, § 203C(e) of the Delaware Code, an application for a Certificate of Public Convenience and Necessity (CPCN) will be submitted to the Delaware Public Service Commission on or about February 15,2008. In accordance with the petition you have recently signed, your properties have been included within an area Tidewater Utilities, Inc. intends to serve with public water and we are required to inform you of certain information. The area to be served is tax parcel number MN00-158.00-01-36.00 located in Kent County, Delaware. If you agree to the inclusion of your property in the proposed service area, no action on your part is required.

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January 16, 2008

Certified Mail # 7005 3110 0000 5448 3720

John W. & Georgia A. Davis 2086 Smyrna Leipsic Rd Smyrna, DE 19977

Dear John W. & Georgia A. Davis

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Sincerely,

Joseph C. Cuccinello CPCN Coordinator Tidewater Utilities Inc.



January 16, 2008

Certified Mail # 7005 3110 0000 5448 3737

Harry A. Virdin 1/2 INT Deborah Virdin 1/2 INT 1994 Big Oak Rd Smyrna, DE 19977

Dear Harry A. Virdin 1/2 INT Deborah Virdin 1/2 INT

Pursuant to Title 26, § 203C(e) of the Delaware Code, an application for a Certificate of Public Convenience and Necessity (CPCN) will be submitted to the Delaware Public Service Commission on or about February 15,2008. In accordance with the petition you have recently signed, your properties have been included within an area Tidewater Utilities, Inc. intends to serve with public water and we are required to inform you of certain information. The area to be served is tax parcel number DC00-020.00-01-10.00 located in Kent County, Delaware. If you agree to the inclusion of your property in the proposed service area, no action on your part is required.

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Sincerely,

Joseph C. Cuccinello CPCN Coordinator Tidewater Utilities Inc.

U.S. Postal Service_{TM} **447**E CERTIFIED MAILTM RECEIPT (Domestic Mail Only; No Insurance Coverage Provided) For delivery information visit our website at www.usps.com 544 CREEKUE Postage Certified Fee **Postmark** Return Receipt Fee (Endorsement Required) 16 2008 31.10 Restricted Delivery Fee (Endorsement Required) Total Postage & Fees 7 Street, Apt. No., or PO Box No. City, State, ZIP+4 PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DEED EN
 Implete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Implete Print your name and address on the reverse so that we can return the card to you. Implete items 1, 2, and 3. Also complete items 4 if Restricted Delivery is desired. Implete items 1, 2, and 3. Also complete items 4 items 4 items 5 items 6 items 6	A. Signature X
Article Addressed to:	If YES, enter delivery address below.
Victor S&MANNAMERYE 12574 S. Dupout Huy	1 / 200g /th
12574 S. DUDOUT HWY	
FELTON, DE 19943	3. Service Type Certified Mail Registered Insured Mail C.O.D.
	4. Restricted Delivery? (Extra Fee)
O Article Number 7005	3110 0000 5448 3744
2. Article Number 7 📗 5 (Transfer from service label)	
PS-Form 3811, February 2004 Domestic	Return Receipt 102595-02-M-1540

SECTION ON DELIVERY

U.S. Postal Service CERTIFIED MAILT RECEIPT Ш 中 (Domestic Mail Only; No Insurance Coverage Provided) П For delivery information visit our website at www.usps.comg 口 544 FREUK DE Postage 0000 **Certified Fee** Postmark Return Receipt Fee (Endorsement Required) 3770 Restricted Delivery Fee (Endorsement Required) Total Postage & Fees J. Sent To Street, Apt. No. or PO Box No. City, State, ZIP+4 PS Form 3800, June 2002

SENDER: COMPLETE THIS SECT	ION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3. Also item 4 if Restricted Delivery is desired. ■ Print your name and address on the so that we can return the card to so that we can to the back of the or on the front if space permits. 1. Article Addressed to: John L. Bayron 1077 Pure putch [1.0, B. 19]	sired. he reverse you. o mailpiece,	A. Signature Agent Addressee Addressee Addressee B. Received by (Printed Name) C. Date of Delivery C. D
P.U.B. 19% Harrington, DE1	9952	3. Service Type ☐ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes
Article Number (Transfer from service label)	7005 3	3110 0000 5448 3683
PS Form 3811 February 2004	Domestic Re	turn Receipt 102595-02-M-154

1100 South Little Creek Road Dover, DE 19901

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Mailed From 19901

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1 6 2008 JAIN B *ig* B Restricted Delivery Fee (Endorsement Required) Postage Return Receipt Fee (Endorsement Required) Certified Fee OTTE 8445 0000

10500% Total Postage & Fees Sent To DI 2005

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PS Form 3800, June 200 City, State, ZIP+4

PS Form 3817, Mar. 1989 MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE -POSTMASTER One piece of ordinary mail addressed to: Received From: 1038 DIANNE 100 DOUTH CHITTE CREEK 1 DEWATER でがろ Rossville Ro びに One mes Inc 一つろでは 10001 3 014H1 HASLER SPOSTAG) 4 2nng Mailed Fro.

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U.S. Postal Service™ CERTIFIED MAILT RECEIPT (Domestic Mail Only; No Insurance Coverage Provided) 7 For delivery information visit our website at www.usps.com m 5448 Postage 0000 Certified Fee Postmark 162008 Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) 3770 Total Postage & Fees 7005 Street, Apt. No.; or PO Box No. Suyrna DE 19977 City, State, ZIP+4 See Reverse for Instructions PS Form 3800, June 2002

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. Article Addressed to: John W + Georgia & Davis 2086 Symna Leipsic Re 	A. Signature Agent Addressee Addressee Addressee B. Received by (Printed Name) C. Date of Delivery Congrature C. Date of Delivery Co
Smyrna, DE 19977	3. Service Type All Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes
2. Article Number 7005 33	LLO 0000 5448 3720

U.S. Postal Service CERTIFIED MAIL RECEIPT 日乙 (Domestic Mail Only; No Insurance Coverage Provided) Ш For delivery information visit our website at www.usps.com 544 CREEKOP Postage Certified Fee Postmark Return Receipt Fee (Endorsement Required) 6 2008 3110 Restricted Delivery Fee (Endorsement Required) Total Postage & Fees 002 Sent To Street, Apt. No.; or PO Box No. City, State, ZIP+4 PS Form 3800, June 2002 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature X Agent Addressee B. Received by (Printed Name) C. Date of Delivery D. is delivery address different from item 1? Yes
1. Article Addressed to:	If YES, enter delivery address below: ☐ No
HARRY A VIRDIN- YZ INT	
Deborah Viredin - 1/2 INT	
1994 BIG DAK RD	3. Service Type Certified Mail
SMYINA DE 19977	☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D.
	4. Restricted Delivery? (Extra Fee) ☐ Yes
2. Article Number 7005 3	110 0000 5448 3737
PS Form 3811 February 2004 Domestic Rei	turn Receipt 102595-02-M-1540



State Zip A1 Tax 1 DE 19943 2.4 SM00-148.00-01-20.00 DE 19952 20 MN00-170.00-01-57.00 DE 19943 174 MN00-158.00-01-36.00 DE 19977 25 DC00-020.00-01-34.00 DE 19977 112.65 DC00-020.00-01-10.00
City Felton Harrington Felton Smyrna Smyrna
Lastname2 StreetNumber 12574 S. Dupont Highway 1077 Pinepitch Road, P.O.Box 191 1038 Roesville Road 2086 Smyrna Leipsic Rd Virdin 1/2 INT 1994 Big Oak Rd
FirstName2 Lastname2 Deborah Virdin 1/2 INT
1 FirstName,
LastName1 Frye Baynard Jones Davis Virdin 1/2 INT
FirstName1 Victor S. & Mary Ann John L. Dianne C. John W. & Georgia A. Harry A.

MAPS

SEE ORIGINALS INDOCKET